

DRAFT

REGULAR MEETING BOARD OF COUNTY COMMISSIONERS DECEMBER 14, 2010

The Board of County Commissioners convened in regular session on this Tuesday, December 14, 2010, at Bushnell, Florida, with the following members present to wit: Richard Hoffman, District No. 1; Douglas Gilpin, 2nd Vice Chairman, District No. 2; Donald Burgess, Chairman, District No. 3; Garry Breeden, Vice Chairman, District No. 4; and Randy Mask, District No. 5. The following individuals were also present and acting in their respective official capacities: Bradley Arnold, County Administrator; Bill Kleinsorge, Finance Director; Melissa Elliott, Deputy Clerk; Connie Webb, Deputy Clerk; and Derrill McAteer of The Hogan Law Firm, Attorneys for the Board. Chairman Burgess called the meeting to order at 5:00 p.m. with the invocation given by Commissioner Mask followed by the flag salute led by Commissioner Hoffman.

1. TIMED ITEMS AND PUBLIC HEARINGS

a. 5:00 p.m. Public Hearing for Ordinance to Adopt Interlocal Service Boundary/Joint Planning Agreement with the City of Bushnell (Staff recommends approval)

Chairman Burgess called for a public hearing to consider an Ordinance to Adopt the Interlocal Service Boundary/Joint Planning Agreement (ISBA/JPA) with the City of Bushnell. Proof of Publication, as advertised, filed herewith.

Bradley Arnold, County Administrator, gave a summary of the proposed ordinance and agreement. The proposed ISBA/JPA provides for the coordination or consolidation of a wide range of public services to promote the efficient use of taxpayer dollars and promote development opportunities in the areas of the County that are best served by these public services. The following services are included as part of the ISBA/JPA: Planning, Parks and Recreation, Solid Waste, Mosquito Control, Water and Sewer, Fire, Stormwater, Animal Control, Roads, Library, GIS, Transit, Building Permitting and Inspections, Workforce Housing, Law Enforcement, and Economic Development. The Bushnell City Council approved the adoption of the City's Ordinance to adopt the ISBA/JPA on December 6, 2010.

PUBLIC - There was no public input.

2nd Vice Chairman Gilpin moved, with a second by Vice Chairman Breeden, to approve an Ordinance (Ord. No. 2010-24) to Adopt Interlocal Service Boundary/Joint Planning Agreement with the City of Bushnell (Staff recommends approval) The motion carried unanimously 5 - 0 .

12-14-10-1-a

b. 5:30 p.m. - Public Hearing - Zoning and Adjustment Board Recommendations

Chairman Burgess called for a Public Hearing to consider the recommendations of the

Zoning and Adjustment Board. Proof of Publication, as advertised, filed herewith.

Chairman Burgess advised that "If you plan to speak during any of the public hearings listed under number 1 of the agenda which are marked with an asterisk, indicating they are quasi judicial in nature, please rise and be sworn." Those responding were sworn in by Connie Webb, Deputy Clerk. Chairman Burgess reminded the audience that "only competent, substantial, fact based testimony or evidence will be considered by the Board in deciding the quasi judicial matters listed on today's agenda. Pure speculation or opinion, not based on competent facts, cannot be legally considered by the Board in weighing the appropriateness of the quasi judicial application. If you intend to speak on an item marked "quasi judicial," please keep this in mind. Finally, please state your name, address and whether or not you have been sworn when you approach the podium to speak on a quasi judicial matter."

1. SS2010-0004 - Small Scale Land Use Change on 2.25 acres MOL from Ag to Commercial - Mark & Diane Edwards - C 466/Lady Lake

Brad Cornelius advised that the applicants are requesting a Small Scale Land Use Change on 2.25 acres MOL from Agriculture to Commercial. The property is located on C-466 adjacent to property presently zoned as planned commercial and is currently used for a strip mall and a three-story medical building. The applicants did acknowledge that part of the property is in a wetland and the flood plain. There were seven notices sent with one being returned in favor. The Zoning and Adjustment Board recommended approval by a vote of 11-0.

PUBLIC - There was no public input.

Commissioner Hoffman moved, with a second by Commissioner Mask, to approve SS2010-0004, request of applicants Mark and Diane Edwards, for a Small Scale Land Use Change on 2.25 acres MOL from Ag to Commercial and adopt the related ordinance (Ord. No. 2010-25). The motion carried unanimously 5 - 0 .

12-14-10-1-b-1

2. *R2010-0013 - Rezoning to CL (Light Commercial) - Mark & Diane Edwards - C-466/Lady Lake

The Chairman polled the Board Members for ex parte communications, either written or verbal, related to this case. Commissioner Hoffman-none; Vice Chairman Breeden-none; Commissioner Mask-none; 2nd Vice Chairman Gilpin-none; and Chairman Burgess-none.

This case is related to Case SS2010-0014. The applicants are requesting a rezoning on 2.25 acres MOL from CN to CL (Light Commercial). The property is located

on C-466 adjacent to property presently zoned as planned commercial and is currently used for a strip mall and a three-story medical building. There were seven notices sent with one being returned in favor. The Zoning and Adjustment Board recommended approval by a vote of 11-0.

PUBLIC - There was no public input.

2nd Vice Chairman Gilpin moved, with a second by Vice Chairman Breeden, to approve R2010-0013, request of applicants, Mark and Diane Edwards, to rezone 2.25 acres MOL from CN to CL (Light Commercial) and adopt the related resolution (Res. No. 2010- 59). The motion carried unanimously 5 - 0 .

12-14-10-1-b-2

3. *R2010-0015 - Rezoning to RR1C - Shelly Carter - NE 33rd Place/Coleman

The Zoning and Adjustment Board (ZAB) tabled this application until the December 20, 2010 ZAB hearing due to the absence of the applicant. The ZAB requests that this Board table this request until the next regular scheduled hearing date.

Vice Chairman Breeden moved, with a second by 2nd Vice Chairman Gilpin, to table until January 11, 2011 at 5:30 p.m., Room 152, 910 North Main Street, Bushnell, Case No. R2010-0015, Rezoning to RR1C, Applicant - Shelly Carter. The motion carried unanimously 5 - 0 .

12-14-10-1-b-3

*Quasi Judicial Hearing

2. REPORTS AND INPUT

a. County Administrator

1. Purchase Orders (For Information Only)

12-14-10-2-a-1

2. Encumbered Contract Purchase Order Report (For Information Only)

12-14-10-2-a-2

3. Significant Schedule of Items (For Information Only)

12-14-10-2-a-3

4. Road Projects Update Report (For Information Only)
12-14-10-2-a-4
5. Facilities Development Update Report (For Information Only)
12-14-10-2-a-5
6. Health Care Responsibility Act Claims (HCRA) November 2010 Monthly Report (For Information Only)
12-14-10-2-a-6
7. November 2010 Personnel Report (For Information Only)
12-14-10-2-a-7
8. Department Surveys for November (For Information Only)
12-14-10-2-a-8
9. Letter to Southwest Florida Water Management District regarding Cooperative Funding Applications (For Information Only)
12-14-10-2-a-9
10. The Villages Recreation Department Christmas Parade Request (For Information Only)
12-14-10-2-a-10
11. Lake-Sumter Emergency Medical Services Annual Report for FY 2009-2010 (For Information Only)
12-14-10-2-a-11
12. Lake-Sumter Emergency Medical Services Approved Annual Budget for FY 2010-11 (For Information Only)
12-14-10-2-a-12
13. Sumter County Major Revenue Collection Report through FY 2009/10 (For Information Only)
12-14-10-2-a-13

14. Department of Community Affairs letter of completion for its 90-day sufficiency review of the evaluation and appraisal report for Sumter County (For Information Only)

12-14-10-2-a-14

15. Letter of support of Thomas E. Langley Medical Center's application for grant funding (For Information Only)

12-14-10-2-a-15

16. Purchase Order 54031 for Eprinter at Sumter County Sheriff's Office (For Information Only)

12-14-10-2-a-16

17. Performance Evaluation Form for County Administrator completed and submitted to the Clerk of Court (For Information Only)

The Board members presented their evaluation forms to Connie Webb, Deputy Clerk, to be placed into the record.

12-14-10-2-a-17

18. Congratulatory letter to Governor-Elect Scott (For Direction)

Consensus of the Board was for the Chairman to execute the letter as presented.

12-14-10-2-a-18

19. Memorandum of Understanding with Retired and Senior Volunteer Program for one volunteer station on an annual basis at The Villages Sumter County Service Center (For Information Only) (added 12/13/2010)

12-14-10-2-a-19

20. Additional Comments

Mr. Arnold commented on the corrected minutes for the Selection Committee for Agenda Item 3.e.2.

Mr. Arnold referenced an e-mail from Gloria Hayward, Clerk, regarding Agenda Item 3.e.15 and that an updated agreement has been provided with the deletions requested by Ms. Hayward having been made.

b. County Attorney - No report.

c. Clerk of Court

William Kleinsorge, Finance Director, submitted the Florida Division of Forestry, Withlacoochee Forestry Center's Annual Report which documents the activities of the Division of Forestry's fire prevention and suppression program and the Cooperative Forestry Assistance Program in Sumter County for the period July 1, 2009 through June 30, 2010.

12-14-10-2-c-1

d. Board Members

1. Commissioner Richard Hoffman

Commissioner Hoffman discussed the golf cart access at Buenos Aires and El Camino. He requested that this issue be readdressed at the January, 2011 workshop.

2. 2nd Vice Chairman Doug Gilpin - No report.

3. Commissioner Randy Mask

Commissioner Mask requested that his recent reappointment to the Withlacoochee Regional Water Supply Authority be reconsidered. He has enjoyed being a part of this Board but due to meeting times and his work schedule it is often difficult for him to make the meetings. Chairman Burgess advised he would look into a replacement.

4. Vice Chairman Garry Breeden - No report.

5. Chairman Don Burgess

Chairman Burgess advised he had recently attended a meeting of the Lake-Sumter MPO and new officers were elected. The new chairman is Lake County Commissioner Jennifer Hill; Chairman-Elect is Sumter County Commissioner Don Burgess; First Vice Chair is Lady Lake Mayor Jim Richards; and the Second Vice Chair is Lake County Commissioner Sean Parks. The two new voting members from Sumter County, Commissioner Doug Gilpin and Bushnell Vice Mayor, Warren Maddox, will be attending the next meeting.

Chairman Burgess also discussed the meeting held this morning with the Legislative Delegation.

e. Public Forum

Todd Tuzzulino, Budget Manager, Fifth Judicial Circuit Court, appeared on behalf of Chief Judge Merritt, Administrative Judge Hallman, Judge Thomas Skidmore, and David Treble, Trial Court Administrator for the Circuit, regarding the proposed Pilot Project

for Probation Supervision Services. He advised that the judiciary is not in favor of this proposal. Mr. Arnold responded to Mr. Tuzzulino's comments.

e. Public Forum - continued

Howard Oxendine, 5904 CR 551A, Bushnell, addressed the Board requesting (1) that it consider allowing the Historical Society to occupy the Public Defender's Building should it ever become vacant; (2) that it consider allowing the Native American Association to occupy the State Attorney's Building when it becomes vacant; and (3) the consideration of a proclamation supporting the 4th Friday in September as Native American Day.

Beverly Steele, 9060 CR 231, Royal, addressed the Board regarding future consideration of a Sumter County Historical Ordinance.

3. NEW BUSINESS-ACTION REQUIRED

a. MINUTES

1. Minutes of Regular meeting held on November 23, 2010 (Staff recommends approval).

<p>Vice Chairman Breeden moved, with a second by Commissioner Mask, to approve the minutes of the regular meeting held on November 23, 2010. The motion carried unanimously 5 - 0 .</p>
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12-14-10-3-a-1

b. FUTURE PUBLIC HEARINGS OR MEETINGS

1. None

c. APPOINTMENTS

1. Citizens Advisory Task Force vacancies (Board's option).

No action taken.

12-14-10-3-c-1

2. Enterprise Zone Development Agency vacancies (Board's option).

No action taken.

12-14-10-3-c-2

3. Establishment of Fire Prevention Code Board of Appeals and appointments to Fire Code Board of Appeals (Board's option).

12-14-10-3-c-3

Consensus for Mr. Arnold to provide the Board with a list of interested and qualified individuals for possible consideration.

d. FINANCIAL

1. Purchase Order Approval (Staff recommends approval).

12-14-10-3-d-1

2. Budget Amendment A-10 (FY 10/11) General Fund - State Aid Library 08-ST-78 (Staff recommends approval).

12-14-10-3-d-2

3. Budget Amendment A-11 (FY 10/11) General Fund (Staff recommends approval).

12-14-10-3-d-3

4. Budget Amendment A-12 (FY 10/11) Tourist Development Fund (Staff recommends approval).

12-14-10-3-d-4

5. Budget Amendment A-13 (FY 10/11) Sumter Fire District (Staff recommends approval).

12-14-10-3-d-5

6. Budget Amendment A-14 (FY 10/11) Series 2006 Construction Fund 307 (Staff recommends approval).

12-14-10-3-d-6

7. Budget Amendment A-15 (FY 10/11) Secondary Trust Fund, County Transportation Trust and SC Road Impact Fund (Staff recommends approval).

12-14-10-3-d-7

8. Budget Amendment A-16 (FY 10/11) Capital Outlay Reserve Fund (Staff recommends approval).

12-14-10-3-d-8

9. Budget Amendment A-17 (FY 10-11) Sumter Fire District Fund (Staff recommends approval).

12-14-10-3-d-9

10. Budget Amendment A-18 (FY 10/11) General Fund (Staff recommends approval).

12-14-10-3-d-10

11. Request for funding from the Young Performing Artists (YPAs) (Staff recommends approval).

This funding will come from the Florida Arts License Plate Program.

12-14-10-3-d-11

12. Final Budget for the North Sumter County Utility Dependent District for Fiscal Year 2010/2011 (Staff recommends approval).

12-14-10-3-d-12

13. Change Order Request to Purchase Order No. 53366 (Staff recommends approval).

This change order is for an increase of \$23,363 for payment of Design and Permitting Services performed by Springstead Engineering, Inc.

12-14-10-3-d-13

14. Change Order Request to Purchase Order No. 9000118 (Staff recommends approval).

This change order will increase Purchase Order No. 9000118 by \$225,000 to pay invoices from OMNI Waste of Osceola County for disposal of dirt mixed with compost.

12-14-10-3-d-14

15. State Housing Initiatives Partnership (SHIP) Program Payment Requests and Execution of Mortgage Satisfactions (Staff recommends approval).

12-14-10-3-d-15

16. Amendment to awarded budget utilizing Tourist Development funds for the Dade Battlefield Festival (Staff recommends approval).

This is for the musical festival scheduled for March, 2011.

12-14-10-3-d-16

17. Short Term Loan to Secondary Trust Fund from County Transportation Trust Fund via Line of Credit (Staff recommends approval).

12-14-10-3-d-17

Vice Chairman Breeden moved, with a second by 2nd Vice Chairman Gilpin, to approve Agenda Items 1 through 16 under Financial. The motion carried unanimously 5 - 0 .

Vice Chairman Breeden moved, with a second by 2nd Vice Chairman Gilpin, to approve Agenda Item 17 under Financial. The motion carried 4 - 1 with Commissioner Hoffman voting nay.

e. CONTRACTS AND AGREEMENTS

1. Award and enter into contract with Ameritech Elevator & Escalator, Inc. (Primary Contractor) and Skyline Elevators (Secondary Contractor) for RFP 173-0-2010/AT Elevator Repair and Maintenance Services (Staff recommends approval).

Three bids were received as follows: Xpert Elevator Services, Inc.; Ameritech Elevator & Escalator, Inc.; and Skyline Elevators. The Selection Committee met on December 3, 2010 and it is their recommendation to award the primary contract to Ameritech Elevator & Escalator, Inc. and a secondary contract to Skyline Elevators.

12-14-10-3-e-1-Ameritech

12-14-10-3-e-1-Skyline

2. Award and enter into contract with Exit Vision Realty for RFP 174-0-2010/AT On Call Broker Services - Surplus Properties (Staff recommends approval).

Three companies submitted proposals as follows: Exit Vision Realty, The Tiece Company, and Oxford Land Company. The Selection Committee met on December 6, 2010 and it is their recommendation to award the contract to Exit Vision Realty.

12-14-10-3-e-2

3. Award and enter into contract with RTD Group for RFP 175-0-2010/AT On Call Appraisal Services - Disposal of Surplus Properties (Staff recommends approval).

Two companies submitted proposals as follows: RTD Group and Florida Realty

Analysts, Inc. The Selection Committee met on December 6, 2010 and it is their recommendation to award the contract to RTD Group.

12-14-10-3-e-3

4. Amendment #2 Power Pro-Tech Services Contract Extension (Staff recommends approval).

This amendment will extend the current contract until February 23, 2012.

12-14-10-3-e-4

5. Transportation Agreement between Sumter County Youth Center and Sumter County Transit (Staff recommends approval).

This contract is renewed annually in December. The proposed changes to this year's contract include a new effective date of January 1, 2011 and an expiration date of December 31, 2011. The monthly fee, which has not changed since 1998, is being increased from \$300 per month to \$390 per month.

12-14-10-3-e-5

6. Renewal of Transportation Agreement with Mid Florida Community Services Inc. (Staff recommends approval).

This agreement provides transportation for eligible participants from their homes to designated congregate meal sites. Sumter County residents who qualify for the program take part in lunch, activities, programs and socialization offered through Mid Florida Community Services. The contract period will be January 1, 2011 to December 31, 2011.

12-14-10-3-e-6

7. Purchase and Sale Agreement between Herman Beville Ranch, LTD (Seller) and Sumter County, Florida (Buyer) - Parcel J16-015 (Staff recommends approval).

The purchase of this property will allow proper access to the spoil site property that was acquired from the Southwest Florida Water Management District this year.

12-14-10-3-e-7

8. Execute the Workforce Central Florida Re-employment Connection Worksite Agreement Modification (Staff recommends approval).

This modification will extend the current agreement until June 30, 2011.

12-14-10-3-e-8

9. Housing and Urban Development (HUD) Section 8 Voucher Program Contracts (Staff recommends approval).

12-14-10-3-e-9

10. Approve Line Of Credit with H&E Equipment (Staff recommends approval).

H&E Equipment will perform factory modifications and repairs on the two scissor lifts currently operated by the County at the Detention Center and the Ag Center.

12-14-10-3-e-10

11. Approve and execute the Circle K Fleet Card Account Application (Staff recommends approval).

This card will be used for vehicle expenses on the vehicle assigned to the Support Services Division.

12-14-10-3-e-11

12. Approve George Nahas Chevrolet, Inc. Credit Account Application (Staff recommends approval).

This account will be used for vehicles assigned to the Public Works Division.

12-14-10-3-e-12

13. Approve Almond Oil Company Credit Account Application (Staff recommends approval).

This account will allow the County to conduct business with Almond Oil Company through the Public Works Division for unleaded and diesel products.

12-14-10-3-e-13

14. Flexible Spending Account Agreement with Professional Benefit Administrators, Inc. and rescind approval of Agreement with Paychex (Staff recommends approval).

On November 23, 2010 the Board approved an agreement with Paychex for Flexible Spending Account (FSA) Plan Administration for 2011. Paychex would not agree to changes to that agreement recommended by the County Attorney. Therefore, it is recommended that the agreement with Paychex be rescinded and the Board approve the proposed agreement with Professional Benefit Administrators, Inc. (PBA), the current vendor. PBA has agreed to maintain their current rates and maintain these same

rates for consecutive years with a three-year renewal agreement.

12-14-10-3-e-14

15. Contract for a Pilot Project for Probation Supervision Services with Professional Probation Services, Inc., for the period 1/1/2011 through 9/30/2011 in Sumter County utilizing current county staff and saving up to \$79,700 in FY 2011 General Fund (Staff recommends approval).

12-14-10-3-e-15

16. Contract with Omni Waste of Osceola County, LLC and Waste Services of Florida, Inc. for hauling Construction and Demolition waste, solid waste and tires (Staff recommends approval) (added 12/13/10).

This contract will be for transportation and disposal of large off-road and construction tires, such as loaders and agricultural tires.

12-14-10-3-e-16

2nd Vice Chairman Gilpin moved, with a second by Commissioner Mask, to approve Agenda Items 1 through 16 under Contracts and Agreements with the changes noted previously in Agenda Item 15. The motion carried unanimously 5 - 0 .

Bradley Arnold recognized the County Probation employees for the outstanding job they do for the County.

f. GENERAL ITEMS FOR CONSIDERATION

1. Approve VOS - CSU Waste Water Treatment Plant (CSU WWTP # 1), Unit 179, Amber Villas, Paige Villas, and Lauren Villas Preliminary Plans reviewed at the November 22, 2010, Development Review Committee (DRC) meeting (Staff recommends approval).

12-14-10-3-f-1

2. Approve VOS - Villages Charter School - West Campus Preliminary Plans reviewed at the December 13, 2010, Development Review Committee (DRC) meeting (Staff recommends approval).

12-14-10-3-f-2

3. Approve Preliminary Plans for Southern Villas Motorcoach reviewed at the September 13, 2010, DRC meeting (Staff recommends approval).

12-14-10-3-f-3

4. Revision to the Employee Manual to clarify Holiday Pay for Fire Rescue Shift employees (Staff recommends approval).

12-14-10-3-f-4

5. Updates and additions to the Purchasing Policy and Procedures Manual (Staff recommends approval).

12-14-10-3-f-5

6. Federal Emergency Management Agency (FEMA) Sheriff's Department Wind Retrofit Extension Request # 2 "Additional Time Requested (Staff recommends approval).

This is for Project Number 1679-03-R, Sumter County Sheriff's Office Wind Retrofit, Phase II Construction, Contract #09HM-7J-05-70-01-006.

12-14-10-3-f-6

7. Inventory Transactions (Staff recommends approval).

12-14-10-3-f-7

8. Resolution for Florida Department of Transportation Section 5316 Grant Cycle (Staff recommends approval) (added 12/13/2010).

This resolution will authorize the County Administrator to sign the completed grant application and accept the grant award.

12-14-10-3-f-8

9. Resolution for declaring a local emergency and adopting rules to prohibit all burning and fireworks in Sumter County until further notice (Burn Ban) (Staff recommends approval) (added 12/13/2010).

12-14-10-3-f-9

2nd Vice Chairman Gilpin moved, with a second by Vice Chairman Breeden, to approve Agenda Items 1 through 9 under General Items for Discussion. The motion carried unanimously 5 - 0 .

4. ADJOURN

2nd Vice Chairman Gilpin moved, with a second by Vice Chairman Breeden, to adjourn at 5:55 p.m. The motion carried unanimously 5 - 0 .